

EXHIBIT 9 (PART I)

COPY

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

MARY ROZELL,

Plaintiff,

-against-

Index No.

05CV 2936

COURTNEY ROSS-HOLST, an individual,
Andco, LLC, a corporation, and NEIL
PIROZZI, an individual,

Defendants.

-----X

February 1, 2006

10:10 a.m.

DEPOSITION of MARY ROZELL, the Plaintiff herein,
taken pursuant to Notice, and held at the offices
of Littler Mendelson, P.C, 885 Third Avenue, New
York, New York, before Debra A. Levinson,
CSR-RMR-CRR, a Court Reporter and Notary Public
of the State of New York.

MARY ROZELL

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1 A. Prior to that I lived for three
2 weeks on the upper east side. I lived -- well, I
3 was just staying in different places between
4 homes. I lived on 38 West 9th Street.

5 Q. How long did you live at 38 West
6 9th?

7 A. From September or -- no, I think it
8 was August, 2004, to May of 2005.

9 Q. And prior to August '04 where did
10 you live?

11 A. 50 West 9th Street.

12 Q. For how long?

13 A. I moved there on -- in April of
14 2000; I think. Yes. 2000.

15 Q. And with whom did you live when you
16 lived at 50 West 9th?

17 A. My husband.

18 Q. And when you were at 38 West 9th?

19 A. My husband, and my son.

20 Q. And upper east side the same?

21 A. Yeah.

22 Q. Husband and same, husband and son
23 now?

24 A. Uh-hum.

MARY ROZELL

17

1 A. Yes.

2 Q. Is your husband employed currently?

3 A. Yes.

4 Q. Where?

5 A. At Random House.

6 Q. And how long has he been employed
7 there?

8 A. Seven or eight years, I believe.

9 Q. And what position does he hold
10 there?

11 A. He's an attorney.

12 Q. And what kind of attorney?

13 A. He's -- he represents the children's
14 division, children's, publishing.

15 Q. Publishing?

16 A. Uh-hum.

17 Q. His specialty is publishing?

18 A. Uh-hum.

19 Q. What's his salary?

20 A. I think it's about a hundred eighty
21 thousand, and then there's a bonus, I'm not quite
22 sure.

23 Q. Do you belong to any clubs or
24 organizations?

MARY ROZELL

18

1 A. I belong to the DC bar and the
2 California bar.

3 Q. Any other?

4 A. My gym.

5 Q. Any other?

6 A. I don't think so at the moment.

7 Museums, I have a lot of museum memberships.

8 Q. Where did you go to high school?

9 A. Hudson Falls High School, Hudson
10 Falls, New York.

11 Q. And college?

12 A. Hamilton College, Clinton, New York.

13 Q. Any major there?

14 A. French.

15 Q. Anything else?

16 A. I had a minor in art history.

17 Q. And when did you graduate?

18 A. '84.

19 Q. Any post-graduate work?

20 A. Yes. I went to Pepperdine School of
21 Law in Malibu, California. I graduated in 1989.
22 And I have a master's degree in art history from
23 the Courtauld Institute of Art in London.

24 Q. Tell me something about that

MARY ROZELL

19

1 institution.

2 A. It's considered one, if not the best
3 art school, art history school in Europe. And it
4 offered German expressionism, which is my
5 specialty, and it's a very good school.

6 Q. And when did you go there?

7 A. I graduated in '94 with my masters.

8 Q. Is that a, how many years did you go
9 there?

10 A. It was a year and a half. It was my
11 program.

12 Q. Prior to -- strike that.

13 Did you go to any other schools or
14 take any other advanced courses after the
15 institution you just mentioned?

16 A. Well, I took language classes, lots
17 of them. Do you want to know?

18 Q. What language?

19 A. I took German. I took -- I took
20 German at the Goethe Institute in Berlin and I
21 took it at the Department of Agriculture in
22 Washington, D.C, and then I took Spanish and
23 Japanese. Oh, and I've taken, when I got back
24 here I took Italian at the New School.

MARY ROZELL

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1 Q. Were they ill at the time?

2 A. Yes.

3 Q. And prior to working for Ziff
4 Brothers where did you work?

5 A. I was self-employed in Germany.

6 Q. Doing what?

7 A. I was working as a curator at a
8 gallery in Weimar, W-E-I-M-A-R.

9 Q. Which gallery?

10 A. It's called the ACC Gallery.

11 Q. And how long were you there?

12 A. I started officially in '95 or '96.
13 I think my first expedition was '96.

14 Q. And what did you do there?

15 A. I was a curator and I was the
16 director of the studio program for international
17 artists.

18 Q. Full-time job?

19 A. Yeah.

20 Q. What was your salary?

21 A. I was paid monthly something like
22 2500 D-Marks.

23 Q. What's the conversion? Or what was
24 it then?

MARY ROZELL

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1 A. What was the conversion, I don't
2 know. \$1200 or something a month.

3 Q. So about 15,000 a year American
4 dollars?

5 A. No, I think I was making 20
6 something a year.

7 Q. 20 something?

8 A. Uh-hum.

9 Q. And how long were you at the
10 gallery?

11 A. Until -- until some point towards
12 the end of '99 when I left.

13 Q. And why did you leave?

14 A. I was coming back to the United
15 States.

16 Q. And why were you coming back?

17 A. Because my mother was ill.

18 Q. Prior to working at ACC Gallery
19 where did you work?

20 A. Also, I should add that I -- at the
21 same time I worked at ACC I was the German
22 correspondent -- the correspondent in Germany for
23 The Art Newspaper which is based in London.

24 Q. How long did you do that?

MARY ROZELL

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1 A. I started that in '95.

2 Q. Was that a paying job?

3 A. Yes.

4 Q. How much did you get paid?

5 A. I was paid something like a hundred
6 pounds for, a hundred and 20 words or something.
7 I was paid by the word.

8 Q. Over, over the period, over a year
9 how much did you earn from that newspaper?

10 A. Not much. I don't know. A couple
11 thousand dollars or something.

12 Q. A year?

13 A. Yeah.

14 Q. And prior to that where were you
15 employed?

16 A. When I first got to Germany I had
17 small jobs, part-time jobs. I got there in the
18 fall of '94 and I immediately start working at a
19 technical university in a town called Swickau,
20 S-W-I-C-K-A-U.

21 Q. What did you do there?

22 A. I was an adjunct professor.

23 Q. For how long?

24 A. About a year. I think it was about

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1 a year.

2 Q. And what did you earn?

3 A. I don't remember.

4 Q. Prior to that where were you
5 employed?

6 A. I was in graduate school prior to
7 that. I also, during that period, I worked again
8 on a contract basis for Villa Grisebach Auctions,
9 for about a year.

10 Q. Were you paid?

11 A. Yes.

12 Q. How much?

13 A. I think I was paid 5,000 D-Marks a
14 month there.

15 Q. How long did you do that?

16 A. That was about a year.

17 Q. Why did you leave?

18 A. Because I started in Weimar.

19 Q. And where did you work before that?

20 A. Before that I was in London, I was
21 in school. And before that I worked at Loe and
22 Mahon, and then it was just Paul Mahon at the law
23 firm.

24 Q. And, it's a law firm?

MARY ROZELL

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1 A. Uh-hum.

2 Q. Located where?

3 A. Washington, D.C.

4 Q. And how long were you there?

5 A. I was there from -- it was either
6 the end of '89 or the beginning of 1990 until I
7 left.

8 MS. PERATIS: Can we just take a
9 break for a second.

10 MR. WEBER: We may.

11

12 (Recess taken.)

13

14 (The requested testimony was
15 read back.)

16

17 BY MR. WEBER:

18 Q. And when was that?

19 A. I left some time in '93.

20 Q. Why did you leave?

21 A. Because I was going to graduate
22 school again.

23 Q. And what was your position at Loe
24 and Mahon or whatever it was?

MARY ROZELL

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1 A. I was an associate attorney.

2 Q. In what area of specialty?

3 A. Art law.

4 Q. And prior to that where did you
5 work?

6 A. Prior to that I was in law school.
7 I had several jobs while I was in law school. I
8 don't know.

9

10 (Defendants' Exhibit A,
11 RESUME, was marked for
12 identification.)

13

14 Q. I show you what's been marked as
15 Defendants' Exhibit A for identification. Can
16 you identify the document?

17 A. It's a resume.

18 Q. Whose?

19 A. Mine.

20 Q. Who prepared it?

21 A. Me.

22 Q. Did you prepare it?

23 A. I guess.

24 Q. Well, I don't want you to guess.

MARY ROZELL

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1 Take a look at it.

2 A. Yes.

3 Q. Yes, you prepared it?

4 A. Yes, I believe so, yes.

5 Q. Is that a true and accurate resume?

6 A. I believe so.

7 Q. Let me rephrase that. Is everything
8 that you put down here true and accurate?

9 A. I believe so.

10 Q. Okay. You mentioned --

11 MS. PERATIS: Before you ask a
12 question.

13

14 (Discussion held off the record.)

15

16 MR. WEBER: Well -- I'm going to
17 object if you're going to direct the
18 witness one way or another.

19 MS. PERATIS: No, I'm not directing
20 the witness at all.

21 MR. WEBER: It's inappropriate for
22 you to have discussions with her during a
23 deposition.

24 MS. PERATIS: Well, when a

MARY ROZELL

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1 question's not pending, I think it's not
2 inappropriate but, at any rate, go ahead.

3 Q. You mentioned before that someone
4 approached you about a position at Andco when you
5 were at the Swiss Institute?

6 A. Yes.

7 Q. Who was that?

8 A. Lori Schiaffino.

9 Q. And who is she?

10 A. She was Mrs. Ross-Holst right hand
11 person at the time, I believe.

12 Q. And did that position seem appealing
13 to you?

14 A. Yes.

15 Q. And why was that?

16 A. Because it was -- it was working
17 with art works, directly with art works. It
18 seemed international in scope. I was interested
19 in the Ross schools since I had a background in
20 education and teaching and I value that, and
21 yeah, I thought it sounded very interesting.

22

23 (Defendants' Exhibit B, SWISS

24 INSTITUTE THREE-PAGE DOCUMENT,

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1 Q. Okay. Fair enough.

2 Did there come a time when you did
3 receive a job description for your position at
4 Andco?

5 A. Other than this?

6 Q. Other than what we've -- what's
7 before you right now.

8 A. No, I don't believe so.

9
10 (Defendants' Exhibit H, ANDCO
11 HANDBOOK, was marked for
12 identification.)

13
14 Q. I show you what's been marked
15 Defendants' Exhibit H for identification. Can
16 you identify that document?

17 A. This was one of the handbooks that
18 was drafted while I was there, I believe.

19 Q. Did you ever receive that when you
20 started employment?

21 A. I received a handbook. I'm not sure
22 if it was this exact one because it changed a
23 couple of times.

24 Q. In looking at this, does this appear

MARY ROZELL

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1 to be the one that you received or you don't
2 recall?

3 A. I'm not exactly sure.

4

5 (Defendants' Exhibit I,
6 NONDISCLOSURE AGREEMENT, was
7 marked for identification.)

8

9 Q. I show you what's been marked as
10 Defendants' Exhibit I, the document entitled
11 Nondisclosure Agreement.

12 Can you identify this document?

13 A. It looks like the nondisclosure
14 agreement that I signed.

15 Q. And you signed it on or about July
16 25th, 2001?

17 A. Uh-hum.

18 Q. And who signed it on behalf of
19 Andco?

20 A. Darius Narizzano.

21 Q. And what was his position at Andco?

22 A. He was the butler.

23 Q. Did he have any other position?

24 A. He had different titles. I think

MARY ROZELL

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1 words, I want what you understood your
2 obligations were.

3 MS. PERATIS: I think she's answered
4 that question. Objection; asked and
5 answered.

6 Q. Is there anything else that you
7 understood your obligations to be other than what
8 you just said with respect to your obligations
9 under this agreement?

10 A. I don't think so.

11 Q. Okay. Do you recall when you
12 started working at Andco; the date?

13 A. I think it was September 4th, 2001.

14 Q. I'm sorry?

15 A. September 4th, I think, or 5th,
16 2001.

17 Q. This is signed July 25th, 2001;
18 correct?

19 A. Uh-hum, yes, it looks like it.
20 Uh-hum.

21 Q. When do you recall receiving a job
22 offer?

23 A. I don't recall. I don't recall the
24 exact date.

MARY ROZELL

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1 Q. Approximately?

2 A. Sometime in July I would think.

3 Q. And whose decision was it for you to
4 start in September, yours or --

5 A. I think it was mine.

6 Q. You wanted to take the summer off?

7 A. No.

8 Q. Family obligations?

9 A. Yeah, I had obligations.

10 Q. Okay. Were you told who you were
11 going to report to when you were starting?

12 A. Yes. I was told I was to report to
13 Courtney and the, the family office president.

14 Q. And who was that?

15 A. Her name is Catherine Stanke.

16 Q. Anybody else?

17 A. No.

18 Q. And did you interview with Miss
19 Stanke?

20 A. No.

21 Q. Did you meet her before you started?

22 A. I think I came in for a meeting
23 before I started.

24 Q. And met with her?

MARY ROZELL

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1 A. Met with a group of people.

2 Q. Who else?

3 A. I think the whole staff in 71st
4 Street was there. I don't recall exactly.

5

6 (Defendants' Exhibit J, MEMO
7 FROM LORI SCHIAFFINO TO MARY
8 ROZELL, was marked for
9 identification.)

10

11 Q. I show you what's been marked
12 Defendants' Exhibit J for identification, a memo
13 from Lori to you dated July 19th, 2001.

14 Can you identify that document?

15 A. It's an offer from Lori to me.

16 Q. Offer of what?

17 A. For employment.

18 Q. Did you respond?

19 A. Pardon?

20 Q. Did you respond to this?

21 A. I believe so.

22 Q. Does this set forth terms and
23 conditions of employment?

24 MS. PERATIS: Objection.

MARY ROZELL

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1 Q. You may answer.

2 A. Some.

3 Q. Not all?

4 A. No, not all.

5 Q. What terms and conditions are
6 missing?

7 MS. PERATIS: Objection.

8 Q. You may answer. And I don't mean
9 every single specific job duty. I mean,
10 generally, what's missing --

11 A. Well --

12 Q. -- if anything.

13 A. -- there's what would be in a basic
14 employment contract is missing. I'd asked for a
15 contract.

16 Q. Did you get one?

17 A. This was the closest thing I got to
18 a contract.

19 Q. Did you propose specific terms and
20 conditions in an employment contract?

21 A. There was a discussion about it.

22 Q. What did you request?

23 A. I don't recall.

24 Q. Did you --

MARY ROZELL

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1 A. Just in terms of vacation and health
2 insurance, those sorts of things.

3 Q. Do you remember anything else that
4 you requested that would be included in an
5 employment agreement?

6 A. No, I don't remember.

7 Q. Do you recall what you requested by
8 way of vacation?

9 A. I think I might have requested four
10 weeks.

11 Q. Do you remember what you requested
12 by way of health insurance?

13 A. I don't recall.

14 Q. Do you remember seeing anything else
15 that you requested?

16 A. There were general things that I
17 requested. I wanted to be assured that I could
18 attend a conference that I went to, and I wanted
19 to know the scope of travel, how much travel was
20 expected of me, that sort of thing.

21 Q. And did your employer address those
22 issues?

23 A. Well, my employer being Lori, as a
24 representative of my employer?

MARY ROZELL

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1 Q. Your employer being Andco.

2 A. Not all.

3 Q. Is this memo from Lori to you the
4 response to your request?

5 A. I don't think so.

6 Q. Do you know what this me was?

7 A. This memo here?

8 Q. Yes. Defendants' Exhibit J for
9 identification.

10 A. Do I know what it was?

11 Q. In other words, do you know why it
12 was written to you?

13 MS. PERATIS: You mean does she know
14 why Lori wrote it to her?

15 MR. WEBER: Correct.

16 A. Lori --

17 MS. PERATIS: Objection. You can
18 answer.

19 A. She appears to be offering me the
20 job.

21 Q. And what did you do, if anything, in
22 response?

23 A. I think I wrote something back
24 accepting the position.

MARY ROZELL

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1

2

(Defendants' Exhibit K, LETTER
FROM MARY ROZELL TO LORI, was
marked for identification.)

3

4

5

6

Q. I show you Defendants' Exhibit K for
identification, a letter from you to Lori; can
you identify that document?

7

8

9

A. It looks like my response to her
memo.

10

11

Q. The one we just identified before as
Exhibit --

12

13

A. J.

14

Q. -- J?

15

A. Uh-huh.

16

Q. Did you ever report to a Marisa
O'Neil?

17

18

A. I reported to her but I was never
sure if it was official.

19

20

Q. How long did you report to her?

21

A. Again I'm not sure. I mean she told
me one day that I was reporting to her but I
didn't know if that was really the case.

22

23

24

Q. You understood that you were

MARY ROZELL

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1 reporting to Ms. Ross-Holst?

2 A. Yes.

3 Q. Anybody else you report to?

4 A. When Catherine Stanke left I was
5 never told by Mrs. Ross-Holst that I was
6 reporting to anyone else.

7 Q. Did you ever travel with Ms. Ross?

8 A. Yes, I did.

9 Q. Where did you travel to?

10 A. We went to Sweden.

11 Q. On how many occasions?

12 A. We went to Sweden just once.

13 Q. Did you travel anywhere else with
14 her?

15 A. No, I don't believe so. We met in
16 East Hampton but Sweden was our only trip
17 together, other than trips within Manhattan.

18 Q. In negotiating the terms and
19 conditions of your employment did you ask for a
20 particular salary?

21 A. I think I asked for 90,000.

22 Q. And the offer was 80?

23 A. I don't think so.

24 Q. What was your salary when you

MARY ROZELL

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1 Q. Did you have any understanding of
2 what role you would play with respect to the
3 household staff?

4 MS. PERATIS: Objection.

5 A. I was told at times that I would be
6 in a supervisory position. When I started
7 working there I wasn't in the building so that
8 wasn't very practical.

9 Q. What were you told by -- your
10 responsibilities with respect to the part-time
11 employees?

12 MS. PERATIS: Objection.

13 Q. You can answer.

14 A. Well, one of them is Judy Beardsall.
15 I was told she was reporting to me.

16 Q. And who is she?

17 A. She's the wine curator consultant.

18 Q. Anyone else?

19 A. I don't think so.

20 Q. And what were you told about your
21 obligations or job duties with respect to the art
22 department?

23 A. That the staff would report to me.

24 Q. And do you know, were you told what

MARY ROZELL

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1 the staff consisted of?

2 A. At the time I was hired there were
3 two other people, besides myself, and I was told
4 to make recommendations by October of 2001.

5 Q. Who were the two individuals that
6 you just mentioned?

7 A. Bettina Sulser and Jo Wheeler.

8 Q. And when you were told to make
9 recommendations by October 1?

10 A. Uh-hum.

11 Q. 2001, recommendations regarding
12 additional staff?

13 A. Uh-hum.

14 Q. And did you make those
15 recommendations?

16 A. I did.

17 Q. And did you recommend hiring of
18 additional staff?

19 A. I did.

20 Q. And what positions did you recommend
21 should be filled or hired?

22 A. I recommended hiring -- I don't
23 remember how I termed it at the time; I think I
24 was calling it a curatorial assistant. I was

MARY ROZELL

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1 looking for someone to do cataloging of the
2 collection.

3 Q. Anybody else, any other
4 recommendations?

5 A. No.

6 Q. And to whom did you make those
7 recommendations?

8 A. I wrote a memo to Mrs. Ross-Holst.

9 Q. And did you outline the job
10 descriptions of the individuals?

11 A. Yes.

12 Q. And were those recommendations
13 accepted?

14 A. I never heard.

15 Q. Did there come a time when you hired
16 individuals into those positions?

17 MS. PERATIS: Objection.

18 A. There was a time when I hired an
19 archivist.

20 Q. And who was that?

21 A. Tasha Seren.

22 Q. And how did you learn of Tasha
23 Seren?

24 A. A fax came into the office at 71st

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1 Street and the fax was forwarded to me.

2 Q. Do you know how it came to 71st
3 street?

4 A. No.

5 Q. Did you hire anybody else in the
6 department?

7 A. I hired someone named Sanjay Tockor
8 (ph), and I hired Leah Ross.

9 Q. And what positions were they hired
10 in?

11 A. Collections coordinator was Leah's
12 position, and Sanjay had the same position. I'm
13 not sure what title he had.

14 Q. And did you describe, did you draft
15 those job descriptions?

16 A. I did.

17 Q. And you hired those individuals?

18 A. I did.

19 Q. Did you set their salaries?

20 A. I did.

21 Q. And their hours?

22 A. Yes, more or less.

23 Q. Do you know what Andco's general
24 policy was with respect to vacation for its

MARY ROZELL

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1 employees?

2 MS. PERATIS: Objection.

3 A. I don't remember a policy.

4 Q. Can you describe where you were
5 physically working when you started in September
6 of 2001 for Andco?

7 A. I was working in what they called
8 the accounting offices.

9 Q. And where were they?

10 A. The street address -- I don't recall
11 the street address. It was in the 50s.

12 Q. East 50s?

13 A. Uh-hum.

14 Q. In New York City?

15 A. Uh-hum.

16 Q. And who was in the accounting office
17 when you started?

18 A. Catherine Stanke, Bob McGary (ph.),
19 Peggy O'Mahoney.

20 Q. And do you know what positions they
21 held?

22 A. Catherine Stanke was the family
23 office president. And Peggy and Bob did
24 bookkeeping. I don't know what their titles

MARY ROZELL

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1 were.

2 Q. And how long were you located in
3 that office?

4 A. I think it was close to a year.

5 Q. 2001 to 2002?

6 A. I was asked to leave that location
7 sometime in the summer of 2002.

8 Q. And why were you asked to leave?

9 A. Marisa O'Neil told me that Courtney
10 wanted me in her apartment.

11 Q. During the period of time when you
12 were working in the east 50s accounting office,
13 what were you doing?

14 A. I was doing my job.

15 Q. What was that job?

16 A. I was director of the art collection
17 and cultural affairs.

18 Q. And what did that consist of?

19 A. That consisted of managing the art
20 collection and the art staff.

21 Q. Were you given any specific
22 directions when you started with respect to the
23 art collection?

24 A. No, not really.

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1 Q. Uh-hum.

2 A. My computer.

3 Q. Anything else?

4 MS. PERATIS: You want to give her a
5 time frame? Are you talking about during
6 employment or after?

7 MR. WEBER: Both.

8 A. I removed -- I was working on bed
9 rest for a number of months. I had documents
10 brought to me every week so I could work.

11 Q. What kind of documents?

12 A. All sorts of documents that we were
13 working on.

14 Q. Did you share them with anybody
15 other than yourself?

16 A. No.

17 Q. Did you remove any other documents
18 or information from the premises?

19 A. I would bring magazines home
20 sometimes.

21 Q. Did you return them?

22 A. Yes.

23 Q. Anything else?

24 A. My computer, like I said.

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1 Q. Anything else?

2 A. Can't think of anything else.

3 Q. Was that a laptop?

4 A. Yes.

5 Q. Did you buy that?

6 A. No.

7 Q. A company laptop?

8 A. Uh-hum.

9 Q. Was that ever stolen?

10 A. Another one was stolen.

11 Q. What other one?

12 A. The first one that I had.

13 Q. When was that?

14 A. It was stolen June of -- let me
15 think. I think, 2002.

16 Q. Do you know where it was stolen
17 from?

18 A. It was stolen in the airport.

19 Q. You were traveling?

20 A. Yes.

21 Q. From where to where?

22 A. From Mrs. Holst's residence in
23 Stockholm back to New York.

24 Q. Was it ever recovered?

MARY ROZELL

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1 A. No.

2 Q. Did the company replace that laptop?

3 A. Yes.

4 Q. Anything else that you ever removed
5 from the premises?

6 MS. PERATIS: Objection. Asked and
7 answered.

8 Q. You may answer.

9 A. I don't recall specifically. There
10 may have been things like fabric samples. A lot
11 of times I had to go out in the field and find
12 things.

13 Q. Do you know if other employees were
14 obligated to sign nondisclosure agreements?

15 A. I think that was standard practice.

16 Q. Did there ever come a time when you
17 asked anyone to obtain Andco property for you
18 after your termination?

19 A. Yes.

20 Q. Who did you ask?

21 A. Tasha Seren.

22 Q. And when did you ask her?

23 A. Right after I was fired.

24 Q. And what was the purpose of your

MARY ROZELL

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1 on the computer.

2 Q. On the Andco computer?

3 A. Yes.

4 Q. What personal documents?

5 A. All personal correspondence,
6 resumes, whole bunch of pictures, my father, my
7 son, my address book, there were other personal
8 documents.

9 Q. Can you remember what they were?

10 A. Just, yeah, I don't remember all of
11 them, no.

12 Q. And did Tasha get those things for
13 you?

14 A. No.

15 Q. She never sent you anything?

16 A. No.

17 Q. Did you -- strike that.

18 Do you know if Tasha signed a
19 nondisclosure agreement?

20 A. I believe she did.

21 Q. Did you ever tell anybody you were
22 planning to write a book about your experiences
23 at Andco and working with Ms. Ross-Holst?

24 A. No.

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1 Q. Did you ever prepare any notes
2 concerning writing a book?

3 A. No.

4 Q. Did you ever start any outlines
5 concerning a book about Ms. Ross-Holst?

6 A. No.

7 Q. Or Andco?

8 Did you ever talk to an agent about
9 writing a book?

10 A. No.

11

12 (Defendants' Exhibit L,
13 E-MAIL, was marked for
14 identification.)

15

16 Q. I show you a document, Defendants'
17 Exhibit L for identification. Can you identify
18 that document?

19 A. It's an e-mail from me to Tasha.

20 Q. What were you asking for or what
21 were you stating?

22 A. I'd asked her to ask Shawn, Shawn
23 Mishler, was her tech guy -- when I was leaving,
24 when I was dismissed, I wasn't allowed to touch

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1 my computer, and I asked Darius Narizzano for my
2 personal things off that computer and he said he
3 would give them to me and asked me to watch him,
4 and he supposedly put all my personal documents
5 on to a CD ROM and then he put them in the trash
6 and handed me the CD ROM and when I got home
7 there was nothing on that CD ROM.

8 Q. What did he put in the trash?

9 A. All of my documents, all of my
10 personal documents.

11 Q. From the computer?

12 A. From the computer. So I asked Tasha
13 if she could ask Shawn if he could get those
14 things out of the trash, if there's any way to
15 retrieve them.

16 Q. When you say "put them in the trash"
17 you mean the hard copy?

18 A. I don't know what you mean.

19 Q. When you mean -- in the trash bucket
20 on the computer or the physical?

21 A. The trash bucket on the computer.

22 Q. Got it. Okay. And that's what you
23 were asking for?

24 A. Yes.

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1 for a private collector.

2 Q. The phrase, it would not be a -- "it
3 would not be good to have the boss's girlfriend
4 checking up," what does that refer to?

5 A. Bettina at the time was the
6 girlfriend of Larry Gagosian and I just felt that
7 Tash -- I was advising Tasha to just --

8 Q. The girlfriend of whom?

9 A. Larry Gagosian -- to negotiate on
10 her own and not through Bettina.

11

12 (Defendants' Exhibit N,
13 E-MAIL, was marked for
14 identification.)

15

16 Q. I'm showing you Defendants' Exhibit
17 N.

18 Can you identify it?

19 A. This is an e-mail from me to Tasha.

20 Q. Tell me what the -- what you said
21 there.

22 A. This is when Tasha wasn't allowed to
23 go upstairs. Normally, if I wasn't there, the
24 protocol was that Tasha would lock up and Tasha

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1 was not allowed to do that.

2 Q. Can you describe the physical
3 facilities where you were working shortly before
4 you were terminated?

5 A. My office?

6 Q. Correct. Where were you working on
7 71st Street?

8 A. I was working at 71st Street on the
9 12th floor.

10 Q. And what's on the 12th floor?

11 A. It's the first floor of Ms.
12 Ross-Holst's duplex. I was in an office that
13 they refer to as the black and white office. It
14 opened on to the breakfast room, and that was
15 attached to one of the kitchens.

16 Q. Who else worked on that floor?

17 A. The housekeeping staff was there.
18 When Mrs. Ross-Holst was in residence, her
19 assistant would be there, Darius Narizzano would
20 be there, sometimes Neil Pirozzi would be there.
21 All sorts of assistants and people would be
22 there, people she had meetings with when she was
23 there -- and her chef.

24 Q. Was that the Andco offices on the

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1 12th floor?

2 A. There were Andco offices on the
3 first floor and on the 12th floor.

4 Q. What was on the first floor?

5 A. On the first floor was where the art
6 staff and other staff, the interiors person, the
7 receptionist, her personal shopper. That's where
8 they were.

9 Q. Who was on the 13th floor if
10 anybody?

11 A. On the 13th floor?

12 Q. Was that her personal residence?

13 A. The 13th floor was also her personal
14 -- the 12th and 13th were her personal residence.

15 Q. Where was her bedroom?

16 A. Her bedroom was on the 13th floor.

17 Q. What else was on the 13th floor?

18 A. Her other bedrooms and guest
19 bedrooms, an exercise room with a sauna, massage,
20 a private hair salon, something called the
21 Chinese room, just a room she liked.

22 MR. WEBER: Off the record.

23

24

(An off-the-record discussion